



PLANNING COMMISSION AGENDA

Thursday, August 21, 2014

6:30 p.m.

Coon Rapids City Center

Council Chambers

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Approval of Minutes from Previous Meeting - July 17

New Business

1. PC14-11, Preliminary Plat Tyler Addition, 8780 University Avenue, Richard Nordlund
2. PC14WC1, Commercial Antenna Tower, Pheasant Ridge Park, AT&T
3. Revocation Conditional Use Permit PC 98-46, 3944 123 Ave, Ronneng
4. Revocation Conditional Use Permit PC99-05, 11832 Olive St, Toman
5. Revocation Conditional Use Permit PC 99-59, 12549 Flintwood St, Nies

Other Business

Current Development

Adjourn



Planning Commission Regular

Meeting Date: 08/21/2014

SUBJECT: Approval of Minutes from Previous Meeting - July 17

Attachments

Draft July 17 Planning Commission Minutes

COON RAPIDS PLANNING COMMISSION MEETING OF JULY 17, 2014

CALL TO ORDER

The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Chair Geisler at 6:30 p.m.

Members Present: Chair Jenny Geisler, Commissioners Denise Hosch, Jonathan Lipinski, Donna Naeve, Wayne Schwartz, and Julia Stevens.

Members Absent: Commissioner Zachary Stephenson.

Staff Present: Community Development Director Marc Nevinski and Planner Scott Harlicker.

PLEDGE OF ALLEGIANCE

Chair Geisler led the Commission in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER STEVENS, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF THE JUNE 19, 2014 REGULAR MINUTES

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER HOSCH, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF JUNE 19, 2014, AS PRESENTED. THE MOTION PASSED 5-0 (SCHWARTZ ABSTAINED).

NEW BUSINESS

1. PLANNING CASE 14-11 – PRELIMINARY PLAT TYLER ADDITION, 8780 UNIVERSITY AVENUE, RICHARD NORDLUND – PUBLIC HEARING
-

Staff recommended this item has been postponed to the August 21, 2014 Planning Commission meeting.

2. REVOCATION OF CUP PC 91-59
-

It was noted the City is proposing to revoke the conditional use permit for a home occupation (small engine repair), as the applicant is no longer operating the business.

Chair Geisler opened and closed the public hearing at 6:34 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER LIPINSKI, SECONDED BY COMMISSIONER SCHWARTZ, TO REVOKE THE HOME OCCUPATION CONDITIONAL USE PERMIT FOR SMALL ENGINE REPAIR BASED ON THE FINDING THAT THE HOME OCCUPATION IS NO LONGER IN OPERATION AT THIS ADDRESS. THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

3. REVOCATION OF CUP PC 91-92

It was noted the City is proposing to revoke the conditional use permit for a home occupation (vertical blinds assembly), as the applicant is no longer operating the business.

Chair Geisler opened and closed the public hearing at 6:34 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER HOSCH, TO REVOKE THE HOME OCCUPATION CONDITIONAL USE PERMIT FOR VERTICAL BLIND ASSEMBLY BASED ON THE FINDING THAT THE HOME OCCUPATION IS NO LONGER IN OPERATION AT THIS ADDRESS. THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

4. REVOCATION OF CUP PC 95-35

It was noted the City is proposing to revoke the conditional use permit for a home occupation (beauty shop), as the applicant is no longer operating the business.

Chair Geisler opened and closed the public hearing at 6:34 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER HOSCH, SECONDED BY COMMISSIONER NAEVE, TO REVOKE THE HOME OCCUPATION CONDITIONAL USE PERMIT FOR A BEAUTY SHOP BASED ON THE FINDING THAT THE HOME OCCUPATION IS NO LONGER IN OPERATION AT THIS ADDRESS. THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

5. REVOCATION OF CUP PC 95-53

It was noted the City is proposing to revoke the conditional use permit for a home occupation (beauty shop), as the applicant is no longer operating the business.

Chair Geisler opened and closed the public hearing at 6:34 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER LIPINSKI, TO REVOKE THE HOME OCCUPATION CONDITIONAL USE PERMIT FOR A BEAUTY SHOP BASED ON THE FINDING THAT THE HOME OCCUPATION IS NO LONGER IN OPERATION AT THIS ADDRESS. THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

6. REVOCATION OF CUP PC 96-25A

It was noted the City is proposing to revoke the conditional use permit for a home occupation (photography studio), as the applicant is no longer operating the business.

Chair Geisler opened and closed the public hearing at 6:34 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER HOSCH, TO REVOKE THE HOME OCCUPATION CONDITIONAL USE PERMIT FOR A PHOTOGRAPHY STUDIO BASED ON THE FINDING THAT THE HOME OCCUPATION IS NO LONGER IN OPERATION AT THIS ADDRESS. THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

OTHER BUSINESS

Community Development Director Nevinski provided a report on current development taking place in the City.

ADJOURN

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER SCHWARTZ, TO ADJOURN THE MEETING AT 6:39 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,
Heidi Guenther
Planning Commission Recording Secretary



Planning Commission Regular

1.

Meeting Date: 08/21/2014

Subject: PC14-11, Preliminary Plat Tyler Addition, 8780 University Avenue, Richard Nordlund

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting preliminary plat approval, and a variance to the 1 acre minimum lot size requirement, to subdivide a commercial parcel into two lots. The property is occupied by two fast food restaurants. The subdivision will result in each restaurant on its own lot.

ACTIONS

Conduct of public hearing

Recommendation by Planning Commission

Decision City Council on: September 2

60 DAY RULE

The applicant submitted this application on: July 9th

To comply with the requirements of Minnesota Statutes, the City must approve or deny the application by: October 14th

LOCATION

	Existing Use	Comprehensive Plan	Zoning
Subject Property	Two restaurants	Community Commercial	Community Commercial
North	Shopping center	Community Commercial	Community Commercial
South	Highway 47	Community Commercial	Community Commercial
East	Shopping center	City of Blaine	City of Blaine
West	Highway 47	Community Commercial	Community Commercial

DISCUSSION

There are two fast food restaurants on the parcel. The restaurants share access and parking. In 1979 the City approved the RLS creating the current parcel and the site plan for the two restaurants. The applicant is proposing to subdivide the 1.77 acre parcel into two lots. The lot will be subdivided so that each restaurant is on its own lot. Access to the lot is from University Avenue and 86th Lane. There are two right-in right-out only accesses from University and full access from 86th Lane. After the subdivision each lot will have an access from University. The access from 86th will be shared between both lots. Access and parking cross easements will be required between the two lots. There will be no physical changes to the site.

This is a unique property in that most of the property is in Coon Rapids and a silver along University Avenue is in Blaine. Utilities are also provided from Blaine. The City of Blaine has approved a similar plat for the portion of the

property that is located in Blaine.

Variances

Both of the proposed parcels are less than the required one acre in size. Lot 1 is .852 acres and Lot 2 is .918 acres.

The Subdivision Regulations permit the granting of variances. The variance can be granted provided the following are met:

Criteria for Granting a Variance	
The intent of this Chapter is met	Yes - The existing buildings comply with the setback requirements.
The granting of the variance will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located	Yes - The granting of this variance will not be detrimental to the public or neighborhood.
The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are generally not applicable to other property	Yes - When the existing parcel was created it was zoned General Commercial which does not have as minimum lot size. Subsequently it was rezoned to Community Commercial which has a one acre minimum lot size.
The literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district	Yes
The special conditions and circumstances do not result from the actions of the applicant	Yes - The rezoning occurred when the larger adjacent shopping center was developed. In addition, after the parcel was initially platted, MNDOT took some of the lot for right-of-way. Prior to the MNDOT acquisition, the parcel was large enough to subdivide into two one acre lots.
Because of the particular natural surroundings, shape, or topographical conditions of the specific property involved, unusual hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out	Yes - without the variance the restaurants will not be able to located on separate lots.

RECOMMENDATION

In Planning Case 14-11, the Planning Commission recommend approval of the preliminary plat for Tyler Addition with the following conditions:

1. The City of Blaine approve the preliminary and final plat for the portion of the property that is located in Blaine.
2. All comments of the Assistant City Engineer be addressed.
3. Cross access and parking easements be provided between the two lots

In Planning Case 14-11, the Planning Commission recommend approval of the variance to minimum lot area based on the following:

1. The intent of this Chapter is met.
2. The granting of the variance will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
3. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are generally not applicable to other property.
4. The literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
5. The special conditions and circumstances do not result from the actions of the applicant.
6. Because of the particular natural surroundings, shape, or topographical conditions of the specific property involved, unusual hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.

Attachments

Location Map

Preliminary Plat

Applicant Variance Narrative

Location Map



PRELIMINARY PLAT OF: TYLER ADDITION

LEGEND

- Property Monument
- Concrete
- Concrete Curb
- Fence
- Overhead Electric
- Underground Electric
- Underground telephone
- Water
- Gas
- Sanitary Sewer
- Storm Sewer
- Setback Line
- Right of Access
- Electric Manhole
- Electric Box
- Power Pole
- Hydrant
- Unknown Manhole
- Unknown Manhole
- Catchbasin
- Catchbasin
- Deciduous Tree (Diameter in inches)
- Coniferous Tree (Diameter in inches)
- Light Pole
- Gas Meter
- Telephone Box
- Sanitary Manhole
- Storm Manhole
- Existing Contour
- Existing Spot Elevation
- Gutter
- X 851.276
- X 934.3

SCALE IN FEET

35 FOOT NORTHERN NATURAL GAS COMPANY PER DOC. NO. 387926

WESTERN LIMITS OF THE CITY OF BLAINE

FOUND EAST IRON MONUMENT EAST QUARTER CORNER OF SEC. 36, T. 51, N. 24 EASTERLY LIMITS OF THE CITY OF COON RAPIDS

N 02°24' E 671.81

US HWY. 10

MN 610

UNIV. AVE.

MN 65

CENTRAL AVE.

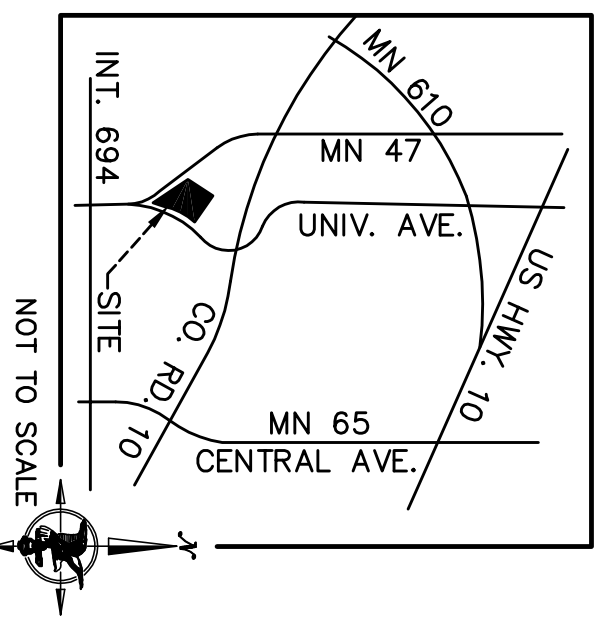
INT. 694

CO. RD. 10

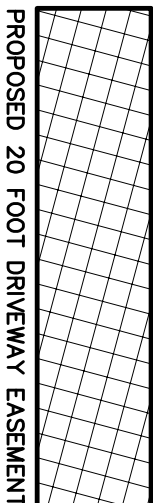
SITE

NOT TO SCALE

VICINITY MAP



SITE ADDRESS
8770 and 8780 University Avenue NE
Blaine and Coon Rapids, Minnesota
OWNER
Duane Nordlund
CONTACT
Richard Nordlund (805) 969-7344
615 Hot Springs Road
Santa Barbara, CA 93108
SURVEYOR
Harry S. Johnson Co., Inc.
CONTACT
Tom Hodorff (952) 884-5341
9063 Lyndale Avenue South
Bloomington, Minnesota 55420



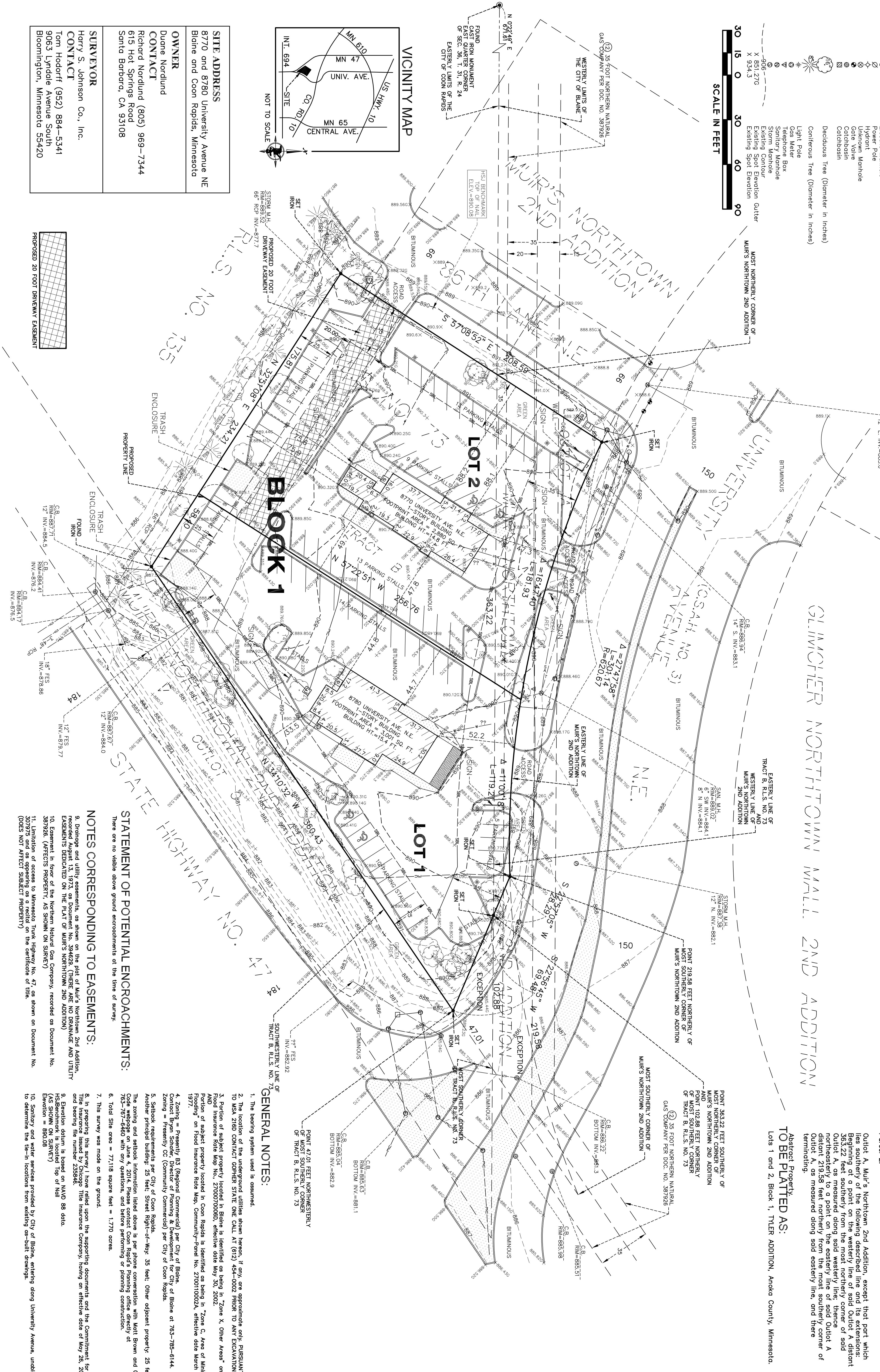
PROPOSED 20 FOOT DRIVEWAY EASEMENT

SUBDIVISION SUMMARY:

The total number of lots is equal to 2. The total area is 77,118 square feet.

PROPOSED AREA:

Site area Lot 1, Block 1, TYLER ADDITION equals 37,126 square feet = 0.852 acres.
Site area Lot 2, Block 1, TYLER ADDITION equals 39,992 square feet = 0.918 acres.



EXISTING LEGAL DESCRIPTION:

Parcel 1:

All that part of Tract B, Registered Land Survey No. 73, which lies northerly of the following described line and its extensions: Beginning at a point on the westerly line of said Outlot A distant 363.22 feet southerly from the most northerly corner of said Tract B, as measured along said southerly line; thence northeasterly to a point of the easterly line of said Tract B distant 102.88 feet northerly from said most southerly corner of Tract B, as measured along said easterly line and there terminating.

Torrens property Certificate of Title No. 118261.

Parcel 2:

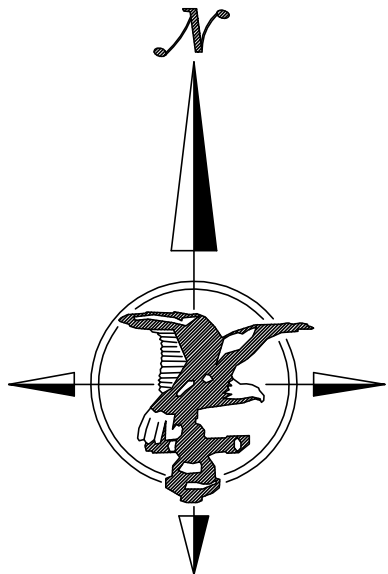
Outlot A, Muir's Northtown 2nd Addition, except that part which lies southerly of the following described line and its extensions: Beginning at a point on the westerly line of said Outlot A distant 363.22 feet southerly from the most northerly corner of said Outlot A, as measured along said westerly line; thence southerly to a point of the easterly line of said Outlot A distant 219.58 feet northerly from the most southerly corner of Outlot A, as measured along said easterly line, and there terminating.

Abstract Property TO BE PLATTED AS:

Lots 1 and 2, Block 1, TYLER ADDITION, Anoka County, Minnesota.

GENERAL NOTES:

- The bearing system used is assumed.
- The location of the underground utilities shown herein, if any, are approximate only. PURSUANT TO ILL. 2180 CONTRACTOR'S STATE ONE CALL AT (712) 461-6062 PRIOR TO ANY EXCAVATION.
- Portion of subject property located in Blaine is identified as being in "Zone X. Other Areas" on Flood Insurance Rate Map No., 2700070060, effective date May 30, 2002.
- Portion of subject property located in Coon Rapids is identified as being in "Zone C. Area of Minimal Flooding" on Flood Insurance Rate Map, Community-Panel No. 2700110002A, effective date March 15, 1977.
- Zoning = Presently B3 (Regional Commercial) per City of Blaine, Contact Bryan Scholer, Director of Planning & Development for City of Blaine at 763-785-6144. Zoning = Presently CC (Community Commercial) per City of Coon Rapids.
- Setback requirements per City of Coon Rapids. Another principal building: 25 feet; Street Right-of-Way: 35 feet; Other adjacent property: 25 feet; The zoning and setback information listed above is per phone conversation with Matt Brown and City Code webpage on June 4, 2014. Please contact Coon Rapids Planning office directly at 763-787-6460 with any questions and before performing or planning construction.
- Total Site area = 77,118 square feet = 1.770 acres.
- This survey was made on the ground.
- In preparing this survey, I have relied upon the supporting documents and the Commitment for Title Insurance issued by Chicago Title Insurance Company, having an effective date of May 26, 2014 and bearing the number 258596.
- Elevation datum is based on NAD 88 data.
- AS SHOWN ON SURVEY
- Sanitary and water services provided by City of Blaine, entering along University Avenue, unable to determine the tie-in locations from existing as-built drawings.



SCALE: 1 INCH = 30 FEET

REVISIONS

Date:	per comments
7/9/14	

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a Licensed Registered Land Surveyor under the laws of the State of Minnesota

Thomas E. Hodorff, L.S. 55677
Minnesota Reg. No. 236771

Date: June 1, 2014

PRELIMINARY PLAT OF TYLER ADDITION

FOR:

RICHARD NORDLUND

SITE:
8770 + 8780 UNIVERSITY AVE. N.E.

BLAINE AND COON RAPIDS, MINNESOTA

ANOKA COUNTY

HARRY S. JOHNSON CO., INC.
LAND SURVEYORS

9063 Lyndale Avenue South
Bloomington, MN 55437
Tele. 952-884-5341 Fax 952-884-5344
www.hgsurveys.com

Book 64	Page 64	File No. 1-3-8657PP
City of Blaine	City of Blaine	City of Blaine
CT	2014268	

Sheet No. 1 OF 1

HARRY S. JOHNSON
LAND SURVEYORS



Scott Harlicker
Planner
City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN. 55433-3761

July 10, 2014

Re: Request for variance for TYLER ADDITION, non-conforming lot sizes, at 8770 and 8780
University Avenue, Coon Rapids, MN

Dear Scott,

On behalf of the owner we are requesting a variance from the 1 acres minimum in order
to split this parcel in two.

A few years after the restaurant operation commenced MNDOT took part of the land for
road improvement which reduced the size of the parcel. The owner is requesting this lot
split because Wendy's is considering an extensive renovation and would like to own their
own parcel.

Thanks,

Richard Nordlund

Cc: Thomas Hodorff

Harry S. Johnson Co., Inc.
9063 Lyndale Avenue South
Bloomington, MN 55420
tele (952)884-5341
fax (952)884-5344
e-mail: tom@hsjsurveyors.com
website: www.hsjsurveyors.com



Planning Commission Regular

2.

Meeting Date: 08/21/2014

Subject: PC14WC1, Commercial Antenna Tower, Pheasant Ridge Park, AT&T

From: Scott Harlicker, Planner

INFORMATION:

This item is being postpone to the October 16th Planning Commission meeting. The applicant needs additional time to complete a wetland and floodplain delineation report. The public hearing should be opened and continued to the October 16th meeting.



Planning Commission Regular

3.

Meeting Date: 08/21/2014

Subject: Revocation Conditional Use Permit PC 98-46, 3944 123 Ave, Ronneng

From: Scott Harlicker, Planner

INTRODUCTION

The City is revoking the conditional use permit for a home occupation (vacuum cleaner sales), the applicant is no longer operating the business.

ACTIONS

Conduct a public hearing

Decision by Planning Commission

Appeal to City Council Available

60 DAY RULE

N/A

LOCATION

The property is located at 3944 123rd Avenue, north of Zea Street on 123rd Avenue.

DISCUSSION

Background Information

On, May 21, 1998 the Planning Commission approved a conditional use permit for a home occupation (vacuum cleaner sales).

On June 9 , 2014 a letter was sent to Mr. Ronneng requesting confirmation that he still reside at the address and is operating the home occupation; the city did not receive a response. On July 14, 2014, based on the applicant's lack of response, the City began revocation proceedings.

A public hearing notice regarding the revocation was mailed to the applicant on August 7 , 2014, the city did not receive a response.

RECOMMENDATION

In Planning Case 98-46 revoke the home occupation conditional use permit for vacuum cleaner sales based on the finding that the home occupation is no longer in operation at this address.

Attachments

Location Map

Location Map





Planning Commission Regular

4.

Meeting Date: 08/21/2014

Subject: Revocation Conditional Use Permit PC99-05, 11832 Olive St, Toman

From: Scott Harlicker, Planner

INTRODUCTION

The City is revoking the conditionall use permit for a home occupation (music lessons), the applicant is no longer operating the business.

ACTIONS

Conduct a public hearing

Decision by Planning Commission

Appeal to City Council Available

60 DAY RULE

N/A

LOCATION

The property is located at 11832 Olive Street, the west side of Olive Street north of 117th Avenue

DISCUSSION

Background Information

On January 21, 1999 the Planning Commission approved a conditional use permit for a home occupation (music lessons).

On June 9, 2014 a letter was sent to Mr. Toman requesting confirmation that he still resides at the residence and is operating the home occupation; the city did not receive a response. On July 14, 2014, based on the applicant's lack of response, the City began revocation proceedings.

A public hearing notice regarding the revocation was mailed to the applicant on August 7, 2014, the City did not receive a response.

RECOMMENDATION

In Planning Case 99-05 **revoke** the home occupation conditional use permit for music lessons based on the finding that the home occupation is no longer in operation at this address.

Attachments

Location map

Location Map





Planning Commission Regular

5.

Meeting Date: 08/21/2014

Subject: Revocation Conditional Use Permit PC 99-59, 12549 Flintwood St, Nies

From: Scott Harlicker, Planner

INTRODUCTION

The City is revoking the conditional use permit for a home occupation (tax preparation), the applicant is no longer operating the business.

ACTIONS

Conduct a public hearing

Decision by Planning Commission

Appeal to City Council Available

60 DAY RULE

N/A

LOCATION

The property is located at 12549 Flintwood Street, the east side of Flintwood Street north of Main Street.

DISCUSSION

Background Information

On August 19, 1999 the Planning Commission approved a conditional use permit for a home occupation (tax preparation).

On June 9, 2014 a letter was sent to Mr. Nies requesting confirmation that he is still operating the home occupation.

On June 11, 2014, Mr. Nies contacted the city and informed us that he was no longer operating the business. Based on Mr. Nies' phone call, on July 14, 2014 the City began revocation proceedings.

A public hearing notice regarding the revocation was mailed to the applicant on August 7, 2014, the City did not receive a response.

RECOMMENDATION

In Planning case 99-59 **revoke** the home occupation conditional use permit for tax preparation based on the finding that the home occupation is no longer in operation at this address.

Attachments

Location Map

Location Map

